



# INTERNATIONAL COURT OF JUSTICE

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## Press Release

Unofficial

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### **Land and Maritime Boundary between Cameroon and Nigeria (Cameroon v. Nigeria: Equatorial Guinea intervening)**

#### **The Court authorizes Cameroon to submit an additional written pleading relating solely to Nigeria's counter-claims**

THE HAGUE, 22 February 2001. The International Court of Justice (ICJ) has authorized the submission by Cameroon of an additional written pleading in the case concerning the Land and Maritime Boundary between Cameroon and Nigeria (Cameroon v. Nigeria: Equatorial Guinea intervening).

In its Order of 30 June 1999, whereby it had found that the counter-claims submitted by Nigeria were admissible, the Court, after indicating that it considered it necessary for Cameroon to file a Reply and for Nigeria to file a Rejoinder, relating to the claims of both Parties, had added the following:

"it is necessary moreover, in order to ensure equality between the Parties, to reserve the right of Cameroon to present, within a reasonable period of time, its views in writing a second time on the Nigerian counter-claims, in an additional pleading which may be the subject of a subsequent Order" (see Press Release 99/37).

By a letter of 24 January 2001, Cameroon notified the Court that it wished to submit an additional pleading "to rectify a number of errors of fact or of law made by Nigeria in the presentation of [its] counter-claims" and suggested that 4 July 2001 should be fixed as the time-limit for filing this additional pleading. By a letter of 5 February 2001, Nigeria indicated that it had no objection to Cameroon's submission of such a pleading within the proposed time-limit provided it was confined to responding to Nigeria's counter-claims.

By an Order of 20 February 2001, the Court, taking account of the agreement of the Parties, authorized the submission by Cameroon of the requested additional pleading. It decided that the additional pleading, which will relate solely to the counter-claims submitted by Nigeria, shall be filed no later than 4 July 2001. The subsequent procedure was reserved for further decision.

#### **History of the proceedings**

On 29 March 1994, Cameroon filed an application instituting proceedings against Nigeria in respect of a dispute described as "relat[ing] essentially to the question of sovereignty over the Bakassi Peninsula", which it claimed was in part under military occupation by Nigeria, and

requested the Court to "determine the course of the maritime boundary between the two States beyond the line fixed in 1975".

As a basis for the jurisdiction of the Court, Cameroon referred to the declarations made by both States whereby they accept that jurisdiction as compulsory (Art. 36, para. 2, of the Statute of the Court).

In an additional application filed on 6 June 1994, Cameroon extended the case to a further dispute with Nigeria relating to "the question of sovereignty over a part of the territory of Cameroon in the area of Lake Chad", which it claimed was also occupied by Nigeria. Cameroon asked the Court to specify definitively the frontier between itself and Nigeria from Lake Chad to the sea, to order the withdrawal of Nigerian troops from Cameroonian territory and to determine reparation for the material and non-material damage inflicted.

By Order of 16 June 1994, the Court noted that Nigeria had no objection to the Additional Application being treated as an amendment to the initial Application, and accordingly fixed 16 March 1995 as the time-limit for the filing of a Memorial by Cameroon and 18 December 1995 as the time-limit for the filing of a Counter-Memorial by Nigeria. Those written pleadings were filed within the prescribed time-limits.

On 13 December 1995, within the time-limit for the filing of its Counter-Memorial, Nigeria raised preliminary objections to the jurisdiction of the Court and to the admissibility of Cameroon's claims. The proceedings on the merits were accordingly suspended and the President of the Court fixed 15 May 1996 as the time-limit within which Cameroon had to present a written statement of its observations and submissions on those preliminary objections. That statement was filed within the prescribed time-limit.

On 12 February 1996, Cameroon requested the Court to indicate provisional measures after "serious armed incidents" had taken place between Cameroonian and Nigerian forces in the Bakassi Peninsula. Public hearings were held between 5 and 8 March 1996 and, on 15 March 1996 the Court made an Order stating that "both Parties should ensure that no action of any kind, and particularly no action by their armed forces, is taken which might prejudice the rights of the other in respect of whatever judgment the Court may render in the case, or which might aggravate or extend the dispute before it".

On 11 June 1998, the Court delivered a Judgment whereby it rejected seven of the preliminary objections raised by Nigeria and declared that an eighth one would have to be dealt with during the proceedings on the merits of the dispute. It further declared that it had jurisdiction in the case and found Cameroon's claims admissible. This Judgment formed the object of a request for interpretation by Nigeria, which, in separate proceedings, was declared inadmissible by a Judgment of 25 March 1999.

By an Order of 30 June 1998, the Court, after ascertaining the views of the Parties, fixed 31 March 1998 as the time-limit for the filing of the Counter-Memorial of Nigeria. At the request of Nigeria this time-limit was extended to 31 May 1999 by an Order of 3 March 1999.

Nigeria's Counter-Memorial was filed within the time-limit thus extended. It contained counter-claims, in which the Court was asked to declare that certain incidents "engage[d] the international responsibility of Cameroon, with compensation in the form of damages, if not agreed between the Parties, then to be awarded by the Court in a subsequent phase of the case".

By an Order of 30 June 1999, the Court ruled that those counter-claims were "admissible as such and form[ed] part of the current proceedings". It decided that Cameroon should submit a Reply and Nigeria a Rejoinder, relating to the claims of both Parties, and fixed the time-limits for those pleadings at 4 April 2000 and 4 January 2001 respectively.

On 30 June 1999, Equatorial Guinea filed an Application for permission to intervene in the case, stating that the purpose of its intervention would be "to protect [its] legal rights in the Gulf of Guinea by all legal means" and "to inform the Court of Equatorial Guinea's legal rights and interests so that these may remain unaffected as the Court proceeds to address the question of the maritime boundary between Cameroon and Nigeria". Equatorial Guinea made it clear that it did not seek to intervene in those aspects of the proceedings that relate to the land boundary between Cameroon and Nigeria, nor to become a party to the case. The Court fixed 16 August 1999 as the time-limit for the filing of written observations by Cameroon and Nigeria on Equatorial Guinea's Application. Those written observations were filed within the prescribed time-limit.

By an Order of 21 October 1999, the Court authorized Equatorial Guinea to intervene in the case "to the extent, in the manner and for the purposes set out in its Application for permission to intervene". It fixed 4 April 2001 as the time-limit for the filing of a written statement by Equatorial Guinea and 4 July 2001 as the time-limit for the filing of written observations by Cameroon and by Nigeria on that statement.

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The full text of the Order will shortly be available on the Court's website at the following address: <http://www.icj-cij.org>.

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